

PHYSICIANS LICENSING BOARD  
MINUTES  
OCTOBER 11, 2006

CONVENED: 8:38 a.m.

CONDUCTING: George Pingree, MD

ADJOURNED: 10:30 a.m.

MEMBERS PRESENT: George Pingree, MD  
Richard Sperry, MD  
James Fowler, MD  
Lori Buhler, public member  
Curtis Canning, MD  
John Bennion, public member  
Sharon Weinstein, MD  
Michael Giovanniello, MD  
Stephen Lamb, MD  
Mason Stout, MD  
Marc Babitz, MD

DIVISION STAFF: Diana Baker, Bureau Manager  
Shirlene Kimball, Secretary

**TOPIC OF DISCUSSION:**

**DECISIONS/RECOMMENDATIONS:**

SEPTEMBER 13, 2006 MINUTES:

Approved with corrections.

REVIEW OF AGENDA ITEMS – MS.  
BAKER:

Ms. Baker reviewed the agenda with Board members. She indicated that Dr. Washburn signed his Order in June but this is his first scheduled meeting with the Board.

Ms. Baker indicated that the Hearing for Dr. Chein has been canceled and he has signed a Stipulation and Order.

PHILIP WASHBURN, MD  
NEW ORDER:

Dr. Lamb conducted the interview. Dr. Washburn explained the circumstances that brought him before the Board. His controlled substance license has now been placed on probation and he will need to complete a prescribing course. He indicated Dr.

Brett Chipman will review his patient records.

Dr. Washburn submitted triplicate copies of the controlled substance prescriptions he has written since June. He also submitted the controlled substance log. Ms. Baker informed Dr. Washburn that the triplicate copies and log will need to be submitted on a monthly basis.

Dr. Washburn submitted his practice plan for review. Board members had questions regarding number ten of the practice plan in which Dr. Washburn indicated he would provide medical necessity reports from referring physicians regarding the prescribing of Schedule II medications. Dr. Weinstein stated there are guidelines to determine medically necessary treatment and questioned Dr. Washburn whether or not he means that he will not treat patients with chronic pain, or if he means that he will not prescribe controlled substances to treat ongoing chronic pain? If he continues to see these patients in his practice and will not be prescribing medications for chronic pain, he needs to clarify this statement so he does not restrict or limit his practice. Dr. Washburn indicated he is going to refer chronic pain patients back to the primary care practitioner for prescriptions for chronic pain. Board members recommended he change number ten to reflect that he doesn't intend to treat chronic pain patients with chronic pain medications.

Dr. Washburn stated that he sees patients in the hospital who are also

seen by other physicians. He indicated that on occasion he will sign the discharge sheet, but the other physician has prescribed the medications and the medications are listed under his name. Board members indicated Dr. Washburn will have to keep track of those prescriptions by a log.

Board members also expressed concern that the physician reviewing the charts is not the same specialty (psychiatrist) as Dr. Washburn. Dr. Babitz stated that the monitoring is for the prescribing practice and he stated he does not see a problem with Dr. Chipman as Dr. Washburn's supervisor or record reviewer.

Board members also discussed the number of charts reviewed. The Order requires that 10% of charts be reviewed. Board members questioned whether or not the supervisor needs to focus on 10% of the charts where narcotics are prescribed or does the supervisor need to review all patient charts where a controlled substance has been prescribed? Dr. Canning indicated the Board would want a review of his prescribing practice of all controlled substances. Dr. Giovanniello made a Motion that of the 10% of charts to be reviewed, 100% of the controlled substance charts need to be reviewed. The log will identify the charts. Dr. Weinstein seconded the Motion. All Board members in favor.

Dr. Washburn questioned whether or not he could take the course provided

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by the U.S. Department of Health and Human Services/SAMHSA for prescribing Suboxone for the treatment of substance abuse. Board members indicated the course would be educational.

EDMUND CHEIN, HEARING:

The Hearing was canceled. Dr. Chein has signed a Stipulation and Order.

DISCUSSION REGARDING WHICH  
CPEP ASSESSMENT IS REQUIRED  
FOR DAVID MORRIS:

Dr. Morris sent in a letter that requested an interpretation of what evaluation he needs to complete through CPEP. Dr. Morris indicated he will not practice anesthesiology or pain management, but wants to enter into a family practice or psychiatry residency. Ms. Baker stated she instructed CPEP to conduct a general knowledge test including pain management since pain management is appropriate to most practice. Dr. Babitz stated a basic skills exam that determines clinical skills interaction would be appropriate.

Dr. Weinstein made a Motion that in addition to passing the SPEX examination Dr. Morris complete the CPEP general clinical skills evaluation that would include a section related to pain management. Dr. Babitz seconded the Motion. All Board members in favor.

REVIEW PRACTICE PLAN FOR  
TERRELL SELLERS:

Dr. Sellers submitted a written practice plan to work for Social Security as a medical testimony expert. There would be no patient contact. Dr. Weinstein made a Motion to approve the request to work only with Social Security as an expert for medical testimony. Dr. Sperry seconded the Motion. All Board members in favor.

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DR. FOWLER – QUESTION  
REGARDING THE BOARD'S  
POSITION ON THE USE OF LASERS  
BY UNLICENSED INDIVIDUALS:

Ms. Baker indicated that the Division was called before the Business and Labor Committee of the Legislature to discuss laser hair removal. She indicated that Dr. Michael Jeppson also testified and feels that only a physician, physician assistant or APRN should do this procedure. It was determined that the use of Lasers for hair removal is the practice of medicine and cannot be delegated to an unlicensed assistant unless the physician is on site and within voice range. The APRN can do the procedure without a physician on site, but cannot delegate the procedure. The PA also cannot delegate. It was determined that anything that changes the cellular structure below the skin is the practice of medicine. This includes the injection of botox, collagen and other similar medications as well as mesotherapy and the use of Lasers. Ms. Baker stated that chiropractors and naturopaths have purchased the laser machines, but the use of laser machines is outside their scope of practice. Ms. Baker indicated the Division will be investigating the unlicensed and unsupervised practice. Dr. Fowler indicated physicians are concerned for the potential harm to the public and it would be helpful if the position was forwarded to all licensed physicians. Dr. Babitz questioned if the information could be sent out with renewals. Ms Baker indicated that renewals will not go out for another year, but UMA has been given the Division's decision and agrees with this practice.

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APPLICATIONS APPROVED BY THE  
DIVISION:

Michael Wilder, MD  
Stacy Johnson, MD  
Sung Park, MD  
Joel Taylor, MD  
Scott Stoerner, MD  
Rachel Anderson, MD  
Matthew Vukin, MD  
Suzanne Ingrao, MD  
Christopher Pelt, MD  
Christopher Olivares, MD  
Mahlon Kerr-Valentic, MD  
Andrea Matich, MD  
Colby Hansen, MD  
Albert Meier, MD  
Lindy Deatherage, MD  
Ryan Fergusch, MD  
Benjamin Huang, MD  
Sudhakar Cherukurl, MD  
Varatharaj Mounasamy, MD  
Casey Owens, MD  
Alissa Packer, MD  
Amber Bradshaw, MD  
Erica Stillner, MD  
Karl Huear-Wicker, MD  
Rodolfo Martinez-Ferrate, MD  
Dustin Armstrong, MD  
Elizabeth Campbell, MD  
Matthew Evans, MD  
Lei Chen, MD  
Mark Elianson, MD  
Courtney Maclean, MD  
Daniel Lupash, MD  
Andrew Freeman, MD  
Chad Cox, MD  
Philippa Augustin, MD  
Eric Heiden, MD  
Michael Dorrough, MD  
Lindsay Grizzle, MD  
Andrew Garrison, MD  
Jianhua Wu, MD  
Stephen Trawee, MD  
Teresa Cisneros, MD

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Daniel Kwak, MD  
Britani Hill, MD  
Cali Matheny, MD  
Haftu Gebrehiwot, MD  
George Wu, MD  
Branden Zielinski, MD  
Donald Dixon, MD  
Reid Robinson, MD  
Zach Beresford, MD  
Rebecca Reiser, MD  
Karyn Bourke, MD  
Julia Lee, MD  
Kory Anderson, MD  
Christopher Maxwell, MD  
David Griffin, MD  
Benjamin Smith, MD  
Ute Gawlick, MD  
Terence Heath, MD  
Lavra Duncan, MD  
Jennifer Gordon, MD  
David Klein, MD  
Belinda Trieu, MD  
Angelika Valdez, MD  
Janet Lee, MD  
Hena Kundra, MD

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GEORGE PINGREE, MD CHAIR

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DATE

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DIANA BAKER, BUREAU MANAGER

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DATE